

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



Pac-West Telecomm, Inc. (U 5266 C),

Complainant,

vs.

Pacific Bell Telephone Company, dba AT&T
California (U 1001 C),

Defendant.

Case No. 06-04-021

Certified Mail

7004 1350 0003 6131 5748

INSTRUCTIONS TO ANSWER

Pacific Bell Telephone Company, dba AT&T California
Attn.: Jerry Flynn
525 Market Street, Room 1801
San Francisco, CA 94105-2726

You are hereby notified that the above-entitled complaint has been filed against you as defendant. You are directed to answer the complaint in writing within 30 days after today unless time is modified pursuant to Rule 13 of the Commission's "Rules of Practice and Procedure." The answer shall be in compliance with Rule 6(b)(2) and Rule 13.1 of these rules. Your answer shall be sent to California Public Utilities Commission, Attn.: Docket Office, 505 Van Ness Avenue, San Francisco, CA 94102.

This matter has been assigned to Commissioner Rachelle B. Chong and Administrative Law Judge Kim Malcolm. It has been determined that the complaint will be categorized as Adjudicatory. A hearing will be scheduled by the assigned Administrative Law Judge, unless the matter is otherwise resolved by the parties.

Dated at San Francisco, California this 8th day of May, 2006.

/ s / ANGELA K. MINKIN

By Martin Nakahara

Angela K. Minkin
Chief Administrative Law Judge

AM/mak

Enclosures: Complaint and Rules 13 & 13.1

cc: James M. Tobin, Esq., Counsel to Complainant
cc via email only, w/o copy of encls.: Cmmr. Chong and ALJ Malcolm

13. (Rule 13) Time for Answers.

Within thirty days after the date of service of the complaint, the defendant shall answer the complaint. The Commission, the Chief Administrative Law Judge, or the presiding officer may require the filing of an answer within a shorter time.

Requests for an extension of time to answer shall be directed to the Chief Administrative Law Judge, or the presiding officer, in writing, and a copy shall be served on all parties. The request shall indicate complainant's acquiescence to the extension of time or the measures taken by defendant in his unsuccessful effort to obtain acquiescence. The Chief Administrative Law Judge, or the presiding officer, shall notify the parties of his ruling.

If an amendment to a complaint is filed before receipt of the answer, the defendant's time to answer the complaint shall be thirty days from the date of service of the amendment, unless otherwise directed. Amendments to a complaint made subsequent to the filing of an answer need not be answered.

13.1. (Rule 13.1) Contents of Answers.

The answer must admit or deny each material allegation in the complaint and shall set forth any new matter constituting a defense. Its purpose is to fully advise the complainant and the Commission of the nature of the defense. It should also set forth any defects in the complaint which require amendment or clarification. Failure to indicate jurisdictional defects does not waive these defects and shall not prevent a motion to dismiss made thereafter.